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October 11, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

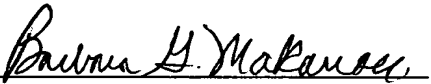
In re/ Application of John M. Stewart,
Bradley J. Stevens, and Karl Vernes
Application No. 10/716,314
Filed November 18, 2003

Examiner: N/A
Group Art Unit: 1614
Confirmation No. 7296

Paralytic Peptide for Use in Neuromuscular Therapy
(Atty. Docket No. P26,473-A USA)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 11, 2004.


Barbara G. Makariou

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TO NOTICE OF AUGUST 10, 2004
TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

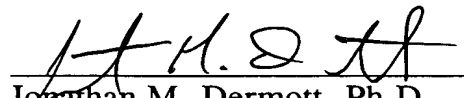
In response to the "Notice to File Missing Parts of Nonprovisional Application-Filing Date Granted", dated **August 10, 2004**, enclosed herewith for filing are the following documents:

In re Application of John M. Stewart, et al.
Application No. 10/716,314

Atty. Docket No. P26,473-A USA
October 11, 2004
Page 2

- (A) A copy of an originally executed Combined Declaration and Power of Attorney, signed by the inventors;
- (B) a copy of the Notice to file Missing Parts of Nonprovisional Application.
- (XX) USPTO Form 2038 Credit Card Payment in the amount of \$65.00 is attached to cover the surcharge.
- (XX) Please charge any deficiency or credit any overpayment to Deposit Account No. 19-5425.
- (XX) A copy of this Reply is enclosed.

Respectfully submitted,


Jonathan M. Dermott, Ph.D.
Reg. No. 48,608

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/716,314	11/18/2003	John M. Stewart	P26,473-A USA

23307
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CONFIRMATION NO. 7296

FORMALITIES LETTER



OC000000013499622

10/15/2004 SDIRETA1 00000008 10716314

Date Mailed: 08/10/2004

01 FC:2051

65.00 DP

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

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- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Y.G.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE